



P.B.5818 - Patentlaan 2
2280 HV Rijswijk (ZH)
T (070) 3 40 20 40
FAX (070) 3 40 30 16

Europäisches
Patentamt

European
Patent Office

Office européen
des brevets

Generaldirektion 1

Directorate General 1

Direction générale 1

THE GOVERNMENT OF THE UNITED STATES OF
AMERICA,
as represented by THE SECRETARY, DEPARTMENT
OF HEALTH AND HUMAN SERVICES
National Institute of Health,
Office of Technology Transfer,
6011 Executive Boulevard, Suite 325
Rockville, MD 20852-3804
ETATS-UNIS D'AMERIQUE



EPO Customer Services

Tel.: +31 (0)70 340 45 00

Date

10-03-2005

Reference	Application No./Patent No. 03742184.9 - 2404 PCT/US0319987
Applicant/Proprietor THE GOVERNMENT OF THE UNITED STATES OF AMERICA, as represented by THE SECRETARY, DEPARTMENT OF HEALTH AND HUMAN SERVICES	

Noting of loss of rights pursuant to Rule 69(1) EPC

The European patent application cited above is deemed to be withdrawn (Rule 108(1) EPC) for the following reason(s):

a) translation of the international application into one of the EPO's official languages (Art. 158(2) EPC) not filed within the period specified in Rule 107(1)(a) EPC

b) national basic fee
 search fee
 designation fee
 examination fee and/or written request for examination
not validly paid / not made within the time limit specified in Rule 107(1)(c)-(f) EPC

c) payment of the above fees on after expiry of the period for payment (on 28.01.05).

MEANS OF REDRESS:

1. The loss of rights [(a)(b)] shall be deemed not to have occurred if, within a (non-extendable) period of **TWO MONTHS** of notification of this communication, the relevant requirement(s) has (have) been fulfilled and the appropriate surcharge(s) under Article 2(3b)(3c) RFees have been paid (Rule 108(3) EPC).
If fees were paid late [(c)], the requirement(s) as specified in Article 8(3)(4) RFees is (are) to be fulfilled within the same time limit.
2. If, however, the applicant considers that this finding is inaccurate, he may apply in writing for an EPO decision on the matter (Rule 69(2) EPC) within the same time limit, i.e. that specified in (1). The finding will be set aside only if it does not actually correspond to the factual or legal situation.
The applicant's rights with regard to fee payment or filing the written request for examination cannot be re-established under Article 122 EPC.
3. If, in spite of all due care required by the circumstances having been taken, the applicant was unable to observe the time limit for filing the translation, he will, upon application, have his rights re-established provided that the time limits and formal requirements laid down in Article 122 EPC are complied with.